



This form is to be used in conjunction with a rule review when ancillary documents are also being reviewed as part of the review process.

Ancillary documents are interpretive or policy statements that advise the public of the Department's opinions, approaches, or likely course of action. They include documents such as Excise Tax Advisories (ETAs), Property Tax Bulletins (PTBs), and Revenue Policy Memorandums (RPMs). Ancillary documents do not have the "force of law" that a rule is given under the Administrative Procedures Act (Chapter 34.05 RCW). Court decisions, Board of Tax Appeals decisions (BTA), and Washington Tax Decisions (WTDs) **are not** ancillary documents.

Reviewer: Cindy Evans Date Reviewed: August 31, 2000

Ancillary Document being reviewed
(provide number and title): ETA 027.04.194 Testing And Engineering Services
By An Out-of-State Corporation.

Date last Issued: July 1, 1966

This document is being reviewed in conjunction
with (provide WAC number and title): WAC 458-20-194 Doing business inside
and outside the state.

Purpose of the document: To educate and inform taxpayers that receipt of
reimbursements for services rendered within this
state is taxable as gross income for B&O tax
notwithstanding that no profit is realized or that
such amounts are termed advances.

Is the document clearly written?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Does the document provide accurate and useful information?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Does the document provide information not currently in the rule?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Review recommendation:**

- A. Update
B. Repeal
C. Leave as is
D. Incorporate into rule and repeal

X

Briefly explain your recommendation:

While the information in this excise tax advisory is informative, explaining that receipt of reimbursements for services rendered within this state is taxable as gross income for B&O tax notwithstanding that no profit is realized or that such amounts are termed advances, it is redundant and unnecessary. The information covered in this ETA is sufficiently covered in RCW 82.04.080 and 82.04.220, Determination No. 86-298, 2 WTD 29 (1986), and *Budget Rent-A-Car v. Department of Revenue*, 81 Wn2d 171, 500 P.2d 764 (1972). Therefore, the department should repeal this ETA.

Manager Action:☐

Accepted recommendation

Date: _____

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Returned for further review

Date: _____

Comments _____